



01-04-06

IFW

Practitioner's Docket No. 3679.002ADIV

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Hiroshi SUZUKI et al.

Application No.: 10/717,871

Group No.: 1712

Filed: 11/19/2003

Examiner: Robert E. Sellers

For: CURATIVES FOR EPOXY RESIN, CURING ACCELERATOR, AND EPOXY RESIN COMPOSITION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

EXPRESS MAIL CERTIFICATE

"Express Mail" label number: EQ 050229224 US

Date of Deposit: 01/03/2006

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Restriction Requirement Response
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Robin Dee Carter

Signature of person mailing paper or fee



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Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESTRICTION REQUIREMENT RESPONSE TRANSMITTAL

1. Transmitted herewith is an amendment for this application.

STATUS

2. Applicant is other than a small entity.

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

G deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

G with sufficient postage as first class mail.

37 C.F.R. § 1.10*

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TRANSMISSION

G facsimile transmitted to the Patent and Trademark Office, (703) _____ - _____

Signature

Date: 1/3/06

ROBIN DEE CARTER

(type or print name of person certifying)

* Only the date of filing ('1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under '1.8 continues to be taken into account in determining timeliness. See '1.703(f). Consider "Express Mail Post Office to Addressee" ('1.10) or facsimile transmission ('1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

FEE FOR CLAIMS


4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

| | (Col. 1) | (Col. 2) | (Col. 3) | OTHER THAN A SMALL ENTITY | | | |
|---|---|---------------------------------------|------------------|---------------------------|-----------|---------------|------|
| | CLAIMS REMAINING AFTER AMENDMENT | HIGHEST NO. PREVIOUSLY PAID FOR | PRESENT EXTRA | | RATE | ADDIT. FEE | |
| TOTAL | 13 | – 20 | = 0 | x | \$ 50.00 | = \$ | 0.00 |
| INDEP. | 7 | – 7 | = 0 | x | \$ 200.00 | = \$ | 0.00 |
| FIRST PRESENTATION OF MULTIPLE DEP. CLAIM | | | | + | \$ 0.00 | = \$ | 0.00 |
| TOTAL ADDIT. FEE | | | | | | \$ | 0.00 |

No additional fee for claims is required.

Date: 1/3/06

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Tel. No.: 727-943-9300
Customer No.: 24040



Signature of Practitioner
DENNIS G. LAPOINTE
LAPOINTE LAW GROUP, PL
P.O. BOX 1294
TARPON SPRINGS, FL 34688



PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | |
|---|---|-----------------------------|
| Applicant: Hiroshi SUZUKI et al. |) | |
| |) | |
| S.N.: 10/717,871 |) | Examiner: Robert E. Sellers |
| |) | |
| Filed: 11/19/2003 |) | Art Unit: 1712 |
| |) | |
| For: CURATIVES FOR EPOXY RESIN, CURING) |) | |
| ACCELERATOR, AND EPOXY RESIN |) | |
| COMPOSITION |) | |
| _____ |) | |

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Robin Dee Carter

Box Non-Fee Amendment
Commissioner for Patents

RESPONSE

Dear Sir:

The Office Action Summary, mailed 05 December 2005, having a shortened statutory period for response set to expire 05 January 2006, requires restriction to one of the following alleged patentably distinct inventions under 35 U.S.C. §121:

- I. Claims 6-9, drawn to a composition, classified in class 528, subclass 117;
- II. Claim 10, drawn to a curative, classified in class 252, subclass 182.25;
- III. Claims 11 and 13, drawn to a curing accelerator, classified in class 252, subclass 182.26;
- IV. Claims 12 and 14, drawn to a composition, classified in class 528, subclass 118;
- V. Claims 15 and 17, drawn to a method for curing an epoxy resin composition, classified in class 528, subclass 121; and
- VI. Claims 16 and 18, drawn to a method for curing an epoxy resin composition, classified in class 525, subclass 523.

Applicant traverses the requirement for the reasons stated hereinafter and respectfully requests withdrawal of the restriction requirement. Nevertheless, in accordance with the election requirement,

Applicant elects Group I, claims 6-9. Having elected this group, applicant further elects species from page 22 as follows:

Curative and curing accelerator: 2E4MZ


Host compound: TEP

Applicant notes that the statutory basis of restriction practice under Section 121, provides that if two or more independent and distinct inventions are claimed in one patent application, the Examiner may require the application be restricted to one invention. This authority is discretionary, not mandatory. Accordingly, Applicant respectfully requests that such discretionary authority not be invoked and the restriction requirement be withdrawn, especially in

light of fact that this application is in itself a divisional application and filing divisional applications is a costly endeavor.

Very respectfully,

Dated: 1/3/06


Dennis G. LaPointe
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